

Michael Vertkin  
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Defendant Michael Vertkin, *Pro se*

**United States District Court**  
**Northern District of California**

|                                 |   |   |
|---------------------------------|---|---|
| Dr. Anna Vertkin,               | ) | Case No.: C 07 4471 SC                                |
|                                 | ) |   |
| Plaintiff, Counter-Defendant    | ) | <b>Request for Entry of Default and</b>               |
|                                 | ) | <b>Supporting Affidavit</b>                           |
| vs.                             | ) | Defendant/Counter-Claimant Michael Vertkin            |
|                                 | ) | requests to enter Default against Plaintiff /Counter- |
| Michael Vertkin, and Does 1-20. | ) | Defendant Dr. Anna Vertkin for failure to answer      |
|                                 | ) | counter- claim and affirmative defenses. FRCiv.P.     |
| Defendants, Counter-Claimant    | ) | 55(a)   |
|                                 | ) |   |

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**APPLICATION FOR ENTRY OF DEFAULT  
AND SUPPORTING AFFIDAVIT.**

COME NOW the Defendant/Counter Claimant, Michael Vertkin, *Pro Se* and requests Clerk,  
pursuant to of FRCiv.P 55(a), to enter default against Plaintiff/ Counter- Defendant Dr. Anna Vertkin in  
the above entitled action for failure to plead, answer or otherwise defend as set forth in the Affidavit  
attached.

Respectfully submitted

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Michael Vertkin, defendant/counter-  
claimant, *pro se*

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5 Defendant Michael Vertkin, *Pro se*

6  
7 **United States District Court**  
8 **Northern District of California**

9 Dr. Anna Vertkin,

10 Plaintiff,

11 vs.

12 Michael Vertkin, and Does 1-20.

13 Defendants  
14

) Case No.: C 07 4471 SC

)  
) **Affidavit in support of Entry of Default**  
) Defendant's Michael Vertkin requests to enter  
) Default against Plaintiff Dr. Anna Vertkin for  
) failure to answer counter claim and affirmative  
) defenses. Fed.R.Civ.P. 55(a)

15  
16 **AFFIDAVIT IN SUPPORT OF ENTRY OF DEFAULT**

17 State of California

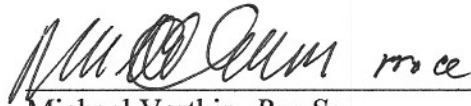
18 County of Sonoma

19 PERSONALLY CAME AND APPEARED BEFOR ME, the undersigned authority in and for  
20 the jurisdiction aforesaid, the within named Michael Vertkin, who, having first been duly sworn  
21 by me, stated on oath the following:

- 22 1. I am Defendant, Michael Vertkin, and have personal knowledge of the facts set forth in  
23 this Affidavit.  
24 2. A copy of Contra claim together with Affirmative Defenses was served upon the  
25 Plaintiff, her counsel being registered ECF user, by means of Electronic Case Filing with

1 the court on **February 7, 2008**, pursuant to FRCiv.P. 5(e), Civil LR 5-5(b) and General  
2 Order No 45, "Electronic Case Filing" Section IX.

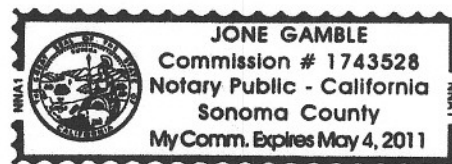
- 3 3. That more that 20 days have elapsed since the date on which the said Plaintiff was served  
4 with the Contra claim and the copy of the Affirmative Defenses.
- 5 4. That the Plaintiff has failed to answer or otherwise defend as to Defendant's Contra claim  
6 and Affirmative Defenses, or serve a copy of any Answer or other defense or reply which  
7 he might have upon the undersigned Defendant.
- 8 5. This Affidavit is executed by affiant herein in for the proposes enabling the Defendant to  
9 obtain an entry of default against the Plaintiff for the failure to answer or otherwise  
10 defend as to the Defendant's Counter claim and affirmative defenses.

11   
12 Michael Vertkin, *Pro Se*

13  
14 SWORN TO AND SUBSCRIBED BEFORE ME,

15 this 7<sup>th</sup> day of March, 2008

16   
17 NOTARY PUBLIC



18  
19 My Commission Expires:

20 May 4, 2011  
21  
22  
23  
24  
25

United States District Court  
Northern District of California

|                                 |   |   |
|---------------------------------|---|---|
| Dr. Anna Vertkin,               | ) | Case No.: C 07 4471 SC                      |
|                                 | ) |   |
| Plaintiff, counter-defendant    | ) | <b>Proposed Entry of Default against</b>    |
|                                 | ) | <b>Plaintiff/Counter-Defendant Dr. Anna</b> |
| vs.                             | ) | <b>Vertkin</b>                              |
|                                 | ) | For failure to answer or otherwise defend   |
| Michael Vertkin, and Does 1-20. | ) | Counter claim and affirmative defenses      |
|                                 | ) |   |
| Defendants, counter-claimant    | ) |   |

**ENTRY OF DEFAULT.**

It appearing that the Counter claim and affirmative defenses were filed in this case on February 7.2008 by Defendant, Michael Vertkin, and were duly served upon the Plaintiff/Counter-defendant, Dr. Anna Vertkin and her counsel, and no answer or other pleading has been filed by said Plaintiff/Counter-defendant or her counsel as required by law.

Therefore, upon request of the Defendant, default is hereby entered against the Plaintiff/Counter-defendant Dr. Anna Vertkin, as provided in Rule 55(a), Federal rules of Civil Procedure

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Clerk